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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,960

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Julie A. Kadashevich

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LOTUS AND RATIONAL SOFTWARE
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EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

09/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,960

Applicant(s)

KADASHEVICH, JULIE A.

Examiner

Thjuan K. Addy

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Thomson et al (US 6,636,598).
2. In regards to claims 1 and 23, Thomson discloses a method and computer program product containing machine-executable instructions for instructing a processor to perform a method for identifying an off-schedule (e.g., unavailable, late, etc.) software agent operating in a computer system, said method comprising: associating an entry time with said agent entering a queue; obtaining a clock signal associated with a clock time; comparing said entry time (e.g., timestamp value) to said clock time (e.g., current time) to obtain a queue time for said agent (See col. 8 lines 34-53); comparing said queue time to a threshold time limit; and identifying said agent as said off-schedule agent if said queue time exceeds said threshold time limit (See col. 7-8 lines 58-11).
3. In regards to claim 2, Thomson discloses the method, wherein said clock signal is obtained from a system clock (See col. 8 lines 34-44).
4. In regards to claim 3, Thomson discloses the method, wherein said clock time

indicates the current time (See col. 8 lines 34-44).

5. In regards to claim 4, Thomson discloses the method, wherein said threshold time limit is associated with a graded scale for denoting the status (e.g., availability) of said agent (See col. 6 lines 6-16 and col. 8 lines 5-11).

6. In regards to claim 5, Thomson discloses the method, wherein said threshold time limit is specified by said computer system (See col. 6 lines 6-10).

7. In regards to claim 6, Thomson discloses the method, wherein said agent is released (e.g., removed) from said queue (for example, the agent will be removed from all agent queues/matrices and will not receive further transactions) if said queue time exceeds said threshold time limit (See col. 6 lines 6-16 and col. 11 lines 13-25).

8. In regards to claim 7, Thomson discloses the method, wherein said agent has a priority (e.g., highest skill proficiency) associated therewith (See col. 6 lines 6-12).

9. In regards to claim 8, Thomson discloses the method, wherein said priority is changed (for example, if the agent's availability attribute is not acceptable, the agent will not receive the transaction) if said agent is identified (See col. 6 lines 6-16).

10. In regards to claim 9, Thomson discloses the method, wherein said agent has information associated therewith, said information allowing statistics of said agent to be generated (See col. 6 lines 29-44 and col. 9 lines 34-44).

11. In regards to claim 10, Thomson discloses the method, wherein said statistics of said agent are compared to statistics associated with other agents operating in said queue (See col. 6 lines 29-37).

12. In regards to claim 11, Thomson discloses the method, wherein at least a portion

of said information is displayed to a user (See Fig. 2 and col. 8 lines 26-33).

13. In regards to claim 12, Thomson discloses a method for managing a plurality of off-schedule (e.g., unavailable, late, etc.) software agents concurrently operating in a queue on a computer system, each of said plurality of agents having data associated therewith, said method comprising: receiving said data; processing said data to determine if any of said plurality have excessive queue times, those of said plurality having excessive queue times identified as late agents; and operating on at least said late agents (See col. 7-8 lines 58-11 and col. 9 lines 11-19).

14. In regards to claim 13, Thomson discloses the method, wherein said operating further comprises: determining if said late agents reside in the same database (See col. 5 lines 21-37 and col. 9 lines 11-19).

15. In regards to claim 14, Thomson discloses the method, further comprising parsing said late agents across a plurality of databases (e.g., primary agent group and secondary agent group) (See col. 5 lines 21-37).

16. In regards to claim 15, Thomson discloses the method, wherein said queue has a threshold time limit associated therewith, said threshold time limit for determining the number of concurrently running agents allowed to operate in said queue (See col. 7-8 lines 58-11).

17. In regards to claim 16, Thomson discloses the method, wherein the number of said agents making up said plurality is compared to said threshold time limit (See col. 7-8 lines 58-11).

18. In regards to claim 17, Thomson discloses the method, further comprising:

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providing a plurality of executive processes if said plurality exceeds said threshold time limit when said comparison is made (See col. 6 lines 6-16, col. 7-8 lines 58-11, and col. 8 lines 5-11).

19. In regards to claim 18, Thomson discloses a method for processing data associated with a plurality of off-schedule software agents operating in a computer system, said method comprising: receiving said data from a queue associated with said agents to produce received data; defining criteria to be used with said received data; sorting said received data according to said criteria; generating a list containing said received data; filtering said received data; and providing said received data to a document (See Fig. 2 and col. 8 lines 26-33).

20. In regards to claim 19, Thomson discloses the method, wherein said list is a sorted linked list (See Fig. 2 and col. 8 lines 26-33).

21. In regards to claim 20, Thomson discloses the method, wherein said filtering removes unwanted agent data (See col. 6 lines 6-16 and col. 11 lines 13-25).

22. In regards to claim 21, Thomson discloses the method, wherein said document is made available to a user (See Fig. 2 and col. 8 lines 26-33).

23. In regards to claim 22, Thomson discloses the method, wherein said document comprises: instructions for said user to improve operation of at least one of said plurality of agents (See 9 lines 20-32).

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stuart et al (US 6,639,982) teach a method and apparatus for agent forcing and call distribution for large team call servicing. Eitel (US 6,083,280) teaches a method of improving a processing efficiency of an automatic data processing system.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, reading "Thjuan K. Addy". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Thjuan K. Addy
Patent Examiner
AU 2614